

REMARKS

Reconsideration of the application in view of the above amendments is respectfully requested. The claims are amended to more clearly recite the Applicant's invention. Support for these amendments are found throughout the specification and drawings especially at page 7, lines 21-27, page 8, lines 1-15, page 10, lines 15-17, and page 16, lines 21-27. No new matter has been added.

1. **Hanson et al. (US 6,546,425) Does Not Anticipate and Does Not Render Obvious Because Hanson Fails to Disclose the Claimed Invention**

Claims 1-60 are rejected under 35 U.S.C. §102 as being anticipated by or, in the alternative, under 35 U.S.C. §103 as being obvious over Hanson et al (US 6,546,425). Applicants traverse the rejections and contend the claims are not anticipated, and submit a prima facie case of obvious has not been made.

Hanson describes a means to connect existing enterprise /centrally located applications (ie. Server deployed applications) treating mobile as merely another terminal.

The present invention is significantly different in that a specific PC application can be accessed (standalone application) on a single PC. In addition, the present invention uses plug-ins (unique) to connect applications to specific wireless devices (users).

Applicants claim access to a user's computer to allow data and applications resident on a remote computer to be accessed by a wireless device regardless of wireless device type, language, or protocols used. In the wireless market, many different communication protocols may be used depending on what type of device the user is using for communication. The wireless market is essentially fractured. There

are competing and incompatible standards in devices, languages, transport and interaction levels that are often device and network specific.

For example, the U.S. and Japan currently use wireless communication protocols that are incompatible with each other. In the U.S. WAP (Wireless Application Protocol) is a specification for a set of communication protocol to standardize the way that wireless devices, such as cellular telephones and radio transceivers can be used for internet access. In Japan, a service called i-Mode is available for wireless access. i-Mode is a packet based service for mobile telephones that unlike WAP uses a simplified version of hypertext markup language (HTML) or Compact Wireless Markup Language (CWML). WAP uses a language called Wireless Markup Language (WML) which currently is incompatible with i-Mode's CWML.

Current state of the art technology would not allow access by a wireless device using i-Mode from a network set up to handle WAP and vice versa. Despite this diversity and incompatibility, the present invention allows any communication protocol, language or wireless device to obtain wireless access to a user's own desktop applications.

Hanson, on the other hand, discloses an Internet Mobility Protocol to compensate for differences between wired local area network interconnects and other less reliable networks such as wireless LAN or WAN to provide performance improvements and reduce network traffic. Hanson discloses mobile inter-connectivity built on only standard Internet transport protocols (e.g. TCP/IP, UDP/IP, and DHCP, etc.) over standard network infrastructure. (See, Col. 4, lines 18-52).

Clearly, Hanson does not disclose use of multiple wireless communication protocols (eg. WAP, i-Mode), or use of various wireless languages (e.g. WML, CWML), or use of any wireless device (PDA, cell phone, etc.) as the Applicants claim. Applicants traverse the Examiner's assertions that a variety of transport protocols in Hanson (Col. 4, line 22 or 42) accounts for the claimed data transmission.

The above protocols recited in Hanson (TCP/IP, UDP/IP, and DHCP, etc) are merely Internet protocols and not wireless communication protocols. A transport protocol as disclosed in Hanson refers to the two most widely used standard transport protocols on the Internet, namely, TCP (Transmission Control Protocol), and UDP, (User Datagram Protocol). Nothing in Hanson teaches or suggests the use of incompatible wireless communication protocols as the Applicants claim.

In fact, Hanson teaches away from such a feature by using same standard transport protocols and conventionally available suite of transport level protocols (e.g. TCP/IP suite). (See Col. 8, lines 25-34).

Additionally, Applicants traverse the Examiner's assertions that Hanson's design is able to determine the network, software and hardware being used. Hanson is silent as to these claims.

Finally, Applicants traverse the Examiner's contention that Hanson's design inherently has features such as a storage means, software, hardware and other features found within computing devices. The reference does not directly state these features or does it disclose or suggest these features as the Applicants claim. There is no objective evidence or cogent technical reasoning set forth to support the condition of inherency.

Since Hanson et al does not identically disclose the claimed invention, either expressly or inherently, withdrawal of the rejections is respectfully requested under §102. In addition, since all of the claim limitations are not taught or suggested, a prima facie case of obvious has not been made and withdrawal of the rejections under §103 is respectfully requested.

2. Claims 2, 32, and 39

Hanson does not have the means to determine the network, software, and hardware being used as claimed. Hanson discloses multiplexing multiple streams of data through a single virtual channel provided by such standard transport protocols(TCP, UDP) over standard network infrastructure of the Internet. (Col. 4, lines 48-57) Hanson has no need to determine what type of wireless communication protocol (WAP, i-Mode) is being used by a wireless device as claimed because Hanson's design is directed to only a single protocol. Only Internet protocols are disclosed in Hanson, not multiple wireless communication protocols.

The present invention, on the other hand, needs to determine what network is being used because several wireless communication protocols are supported in the present invention's design.

3. Claim 3

Hanson does not disclose sending information to a wireless device in the appropriate language compatible for the wireless device in either WAP or i-Mode regardless of the type of wireless device, language, or protocols used. Hanson merely discloses transport protocol independence for allowing network point of presence (POP) or network infrastructure to change without affecting data flow, except where physical

boundary, policy, or limitations of bandwidth may apply. (Col. 5, lines 3-7) The present invention has no physical boundary, policy, or bandwidth limitations since the present invention's design can handle multiple wireless communications protocols, whereas the Hanson design can not.

Withdrawal of the rejection is respectfully requested.

4. Claim 4

Regarding Claim 4, Applicants traverse the Examiner's contention that Hanson allows for the use of a number of protocols to be used for data transfer as the Applicants claim. Applicants further traverse the Examiner's contention that it is inherent for the connections to be made between the controllers of the two communicating devices. For example, it is not inherent for a controller to be capable of processing either incompatible languages of WML or CWML and making a connection in either language to a user's computer despite this incompatibility. Current state of the art technology would fail in making a connection to a WML system in response to a transmission from a device using CWML.

It is well settled that inherency may be relied upon only where the consequence of following the reference disclosure always produces or results in the claimed invention. W.L. Gore Associates, Inc. v. Garlock, Inc., 220 U.S.P.Q. 303, 314 (Fed. Cir. 1983). As recited above, there are situations in which the connection may not always result.

Hanson describes standard Internet transport protocols to extend the reach of standard network application interfaces. Hanson does not teach or suggest multiple or non-standard and incompatible wireless communication protocols such as WAP or i-

Mode. Hanson is silent as to wireless communication language such as WML and CWML.

The Applicants, on the other hand, claim the use of incompatible non-standard wireless communication protocols. The Applicants' invention provides a novel approach for wireless access to a user's computer regardless of the type of wireless device used, language or protocols used.

Applicants respectfully submit that the cited reference does not teach or suggest what the Applicants have claimed. Withdrawal of the rejections is respectfully requested.

5. Claims 5, 9, 35

Hanson discloses if a Mobile End System becomes unreachable, the server maintains connection by acknowledging receipt of data and queuing requests. Hanson does not disclose storing information that includes data and software application resident at the user's computer as the applicants claim. A request is not the same as the claimed information. Information is transmitted in response to a request. In Hanson the request is stored, not the transmitted information as claimed. Withdrawal of the rejection is respectfully requested.

6. Claims 6, 16, 40

The Applicants contend that Hanson does not disclose the claimed transmitting of manipulated information. Applicants further contend that data does not require manipulation to be transferred.

For example, data may be transferred without manipulation by the user. If the user does manipulate the data, with the present invention's design, the manipulated

information is sent to the user's computer from the wireless device. If a connection is not established, the manipulated information will be stored and sent to the computer when the connection is re-established.

7. Claims 7, 36

Applicants repeat the same arguments previously made above regarding Hanson's queuing requests. Requests are not the claimed information. Information is sent in response to a request. Hanson queues the requests only. The present invention stores manipulated information that includes data and software application resident at the user's computer as the applicants claim.

8. Claim 12

Regarding claim 12, Applicants traverse the Examiner's argument that it is inherent that any language is applicable to the design of Hanson. In relying upon the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the alleged inherent characteristic reasonably flows from the teachings of the applied prior art. Ex Parte Levy, 17 USPQ 2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). The Hanson reference does not directly state the use of wireless communication language such as WML and CWML as the Applicants claim. Hanson also does not disclose or suggest receiving information from the user's computer in any language that is compatible for the wireless device regardless of the type of wireless device (PDA, cell phone, laptop, etc.), language (WML, CWML, etc.), or protocols (WAP, i-Mode, etc.) used. Since there is a failure to provide objective evidence or cogent technical meaning to support the condition of inherency withdrawal of the rejection is respectfully requested.

9. Claims 17, 46

As argued above, Hanson does not teach or suggest encryption of transmissions between a wireless device and user's computer where the wireless device can be any type of wireless device that uses any wireless communication language or protocols. Withdrawal of the rejection is respectfully requested.

10. Claims 18, 47

Regarding claims 18 and 47, the Examiner stated Hanson teaches notifying a user when access to the user's computer is attempted. Hanson discloses a standard utility functions such as an alert system. Hanson is silent as to how the alert system functions or what the alert systems does during operation.

The Applicants' invention, on the other hand, claims an alert system that notifies the user when access to the user's computer is attempted. This attempted access may be authorized or unauthorized access. In addition, the claimed alert system notifies the user regardless of what type of wireless device, language or protocol is used. The claimed alert system is considered non-standard. Various wireless communications language and protocols are incompatible with each other (WAP, i-Mode) and an alert system that can work with both languages and protocols as claimed in the present invention is considered by the Applicants as novel and non-standard.

11. Claim 19, 48

Regarding Claims 19 and 48, Applicants repeat the same arguments as in the previous paragraph and contend that Hanson discloses only standard utility functions. The features claimed in the present invention are not taught or suggested by Hanson. Withdrawal of the rejections is respectfully requested.

12. Claim 20, 49

Regarding Claims 20 and 49, Applicants traverse the Examiner's contention that Hanson's design inherently uses plug-ins as the Applicants claim. Hanson is silent as to the use of plug-ins. Even assuming for *arguendo* that plug-ins was disclosed by Hanson, (Applicants contend plug-ins are not disclosed by Hanson), the Hanson reference fails to teach and suggest the claimed use of plug-ins as the Applicants claim. Communications can be in any protocol or language, WAP or i-Mode, WML or CWML. Despite the incompatibility between these communication protocols and languages, the claimed plug-ins can be used regardless of which protocol or language is used by the accessing wireless device. As previously presented, Hanson does not teach or suggest such non-standard use, and in fact teaches away from such use by using a standard system. Withdrawal of the rejections is respectfully requested.

13. Claim 21, 50

Regarding Claims 21 and 50, applicants traverse the Examiner's assertion that the Hanson design inherently uses plug-ins to enable features specific to the type of applications being used. As presented above, Hanson discloses the use of a standard system, use of plug-in in a specific non-standard manner is contrary to the teaching of Hanson.

14. Claim 41

Concerning Claim 41, Applicants repeat the same arguments presented in paragraphs 5, 6, and 7. Applicants further contend that Hanson discloses storage on only a server. The Applicants claim storage on a remote user's computer that is in

communication with a wireless device, wherein the wireless device has manipulated data to be saved on the remote user computer. Such storage is not taught or suggested by Hanson.

15. Claim 58

Concerning Claim 58, Applicants again traverse the Examiners assertion that it is inherent in the Hanson design to possess a storage means as claimed by the Applicants. Applicants repeat the above arguments previous presented and contend that Hanson discloses storage on a server, not on a remote user's computer after a user has manipulated data on a wireless device to be saved on the remote user's computer. Reconsideration and withdrawal of the rejections is respectfully requested.

CONCLUSION AND AUTHORIZATION

For at least these reasons, it is believed that all of the claims as presently presented, are patentable, and that this application is now in allowable condition. If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number provided below.

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4135-4000.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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Keith McWha

Reg. No. 44,235

Mailing Address

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
Tel: Firm (212) 415-8700
Tel: Direct (212) 415-8705
Fax: (212) 415-8701
email: KMcWha@morganfinnegan.com